



General Assembly

February Session, 2000

Amendment

LCO No. 5334

Offered by:
REP. FOX, 144th Dist.

To: Subst. House Bill No. 5849

File No. 663

Cal. No. 169

"An Act Concerning The Licensing Of Locksmiths."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 21a-190c of the general statutes is repealed and
4 the following is substituted in lieu thereof:

5 (a) Every charitable organization required to register pursuant to
6 section 21a-190b shall annually file with the department a report for its
7 most recently completed fiscal year, which report shall include a
8 financial statement and such other information as the commissioner
9 may require. Such charitable organization shall file such report not
10 more than five months following the close of its fiscal year, which
11 report shall be accompanied by a fee of twenty-five dollars and shall be
12 signed by two authorized officers of the organization, one of whom
13 shall be the chief fiscal officer of the organization. Such officers shall
14 certify that such report is true and correct to the best of their
15 knowledge. The commissioner shall prescribe the form of the report
16 and may prescribe standards for its completion. The commissioner

17 may accept, under such conditions as he may prescribe, a copy or
18 duplicate original of financial statements, reports or returns filed by
19 the charitable organization with the Internal Revenue Service or
20 another state having requirements similar to the provisions of sections
21 21a-190a to 21a-190l, inclusive, as amended by this act.

22 (b) A charitable organization with gross revenue in excess of [one]
23 two hundred thousand dollars in the year covered by the report shall
24 include with its financial statement an audit report of a certified public
25 accountant. For purposes of this section, gross revenue shall not
26 include grants or fees from government agencies or the revenue
27 derived from funds held in trust for the benefit of the organization.

28 (c) The commissioner may, upon written request and for good cause
29 shown, grant an extension of time, not to exceed three months, for the
30 filing of such report.

31 (d) An additional late filing fee of [twenty-five] forty dollars shall
32 accompany any report which is not filed in a timely manner.

33 (e) Every charitable organization required to file an annual report
34 and every charitable organization subject to the provisions of
35 subdivision (6) of section 21a-190d, as amended by this act, shall keep
36 true fiscal records which shall be available to the department for
37 inspection upon request. Such organization shall retain such records
38 for no less than three years after the end of the fiscal year to which they
39 relate.

40 Sec. 2. Section 21a-190d of the general statutes is repealed and the
41 following is substituted in lieu thereof:

42 The following charitable organizations shall not be subject to the
43 provisions of sections 21a-190b and 21a-190c, as amended by this act,
44 provided each such organization shall submit such information as the
45 department may require to substantiate an exemption under this
46 section:

- 47 (1) Any duly organized religious corporation, institution or society;
- 48 (2) Any parent-teacher association or educational institution, the
49 curricula of which in whole or in part are registered or approved by
50 any state or the United States either directly or by acceptance of
51 accreditation by an accrediting body;
- 52 (3) Any nonprofit hospital licensed in accordance with the
53 provisions of section 19a-630 or any similar provision of the laws of
54 any other state;
- 55 (4) Any governmental unit or instrumentality of any state or the
56 United States;
- 57 (5) Any person who solicits solely for the benefit of organizations
58 described in subdivisions (1) to (4), inclusive, of this section; and
- 59 (6) Any charitable organization which normally receives less than
60 [twenty-five] fifty thousand dollars in contributions annually,
61 provided such organization does not compensate any person primarily
62 to conduct solicitations.

63 Sec. 3. Section 21a-190l of the general statutes is repealed and the
64 following is substituted in lieu thereof:

65 (a) The commissioner may deny, suspend or revoke the registration
66 of any charitable organization, fund-raising counsel or paid solicitor
67 which has violated any provision of sections 21a-190a to 21a-190l,
68 inclusive, as amended by this act. The commissioner may accept a
69 written assurance of compliance when he determines that a violation
70 of said sections is not material and that the public interest would not
71 be served by a denial, suspension or revocation of such registration.

72 (b) The Attorney General, at the request of the commissioner, may
73 apply to the Superior Court for, and the court may grant, a temporary
74 injunction or a permanent injunction to restrain violations of sections
75 21a-190a to 21a-190l, inclusive, as amended by this act, the
76 appointment of a receiver, an order of restitution, an accounting and

77 such other relief as may be appropriate to ensure the due application
78 of charitable funds. Proceedings thereon shall be brought in the name
79 of the state.

80 (c) Any person who knowingly violates any provision of sections
81 21a-190a to 21a-190l, inclusive, as amended by this act, shall be fined
82 not more than [one] five thousand dollars or imprisoned not more than
83 one year, or both.

84 (d) In any action brought under subsection (b) of section 21a-190l, as
85 amended by this act, if the court finds that a person has wilfully
86 engaged in conduct prohibited by section 21a-190h, the Attorney
87 General, upon petition to the court, may recover, on behalf of the state,
88 a civil penalty of not more than two thousand five hundred dollars for
89 each violation. For purposes of this subsection, a wilful violation
90 occurs when the party committing the violation knew or should have
91 known that such conduct was prohibited by section 21a-190h, as
92 amended by this act."